



**Service of Process  
Transmittal**

06/25/2018

CT Log Number 533579397

**TO:** Barbara Jenkins  
Whole Foods Market, Inc.  
550 Bowie St  
Austin, TX 78703-4644

**RE: Process Served in Illinois**

**FOR:** Whole Foods Market Group, Inc. (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** ALLA TRESHUK, Pltf. vs. WHOLE FOODS MARKET GROUP, INC., etc., Dft.

**DOCUMENT(S) SERVED:** Summons, Complaint

**COURT/AGENCY:** Cook County Circuit Court - County Department - Law Division, IL  
Case # 2018L006185

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition - 06/17/2016

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL

**DATE AND HOUR OF SERVICE:** By Process Server on 06/25/2018 at 10:30

**JURISDICTION SERVED :** Illinois

**APPEARANCE OR ANSWER DUE:** Within 30 days after service of this summons, not counting the day of service

**ATTORNEY(S) / SENDER(S):** Scott J. Orzoff  
ORZOFF LAW OFFICES  
900 Skokie Blvd  
Suite 250  
Northbrook, IL 60062  
847-564-0285

**ACTION ITEMS:** CT has retained the current log, Retain Date: 06/26/2018, Expected Purge Date: 07/01/2018

Image SOP

Email Notification, Email Process SOP@WHOLEFOODS.COM

Email Notification, Jay Warren jay.warren@wholefoods.com

Email Notification, Timothy Horn timothy.Horn@wholefoods.com

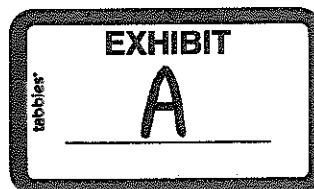
**SIGNED:** C T Corporation System

**ADDRESS:** 208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

**TELEPHONE:** 312-345-4336

Page 1 of 1 / CG

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.



2120 - Served  
 2220 - Not Served  
 2320 - Served By Mail  
 2420 - Served by Publication  
 SUMMONS

2121 - Served  
 2221 - Not Served  
 2321 - Served by Mail  
 2421 - Served by Publication  
 ALIAS - SUMMONS

(2-81) CCG-1

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, LAW DIVISION

(Name all parties)

ALLA TRESHUK,  
 Plaintiff,  
 v.  
 WHOLE FOODS MARKET GROUP, INC.  
 Defendant.

C O P Y

2018L006185  
 CALENDAR/ROOM F  
 TIME 00:00  
 No. Premises Liability

Please Serve:

Whole Foods Market Group, Inc.  
 c/o CT Corporation System  
 (Registered Agent)  
 208 S. LaSalle St. #814  
 Chicago, IL 60604

## SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the office of the clerk of this court (located in the Richard J. Daley Center, Room 801 Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service, IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS, DOROTHY BROWN, 20  
 CLERK OF CIRCUIT COURT JUN 15 2018

Clerk of Court

Date of service: \_\_\_\_\_, 20\_\_\_\_  
 (To be inserted by officer on copy left with  
 defendant or other person)

Atty No. 71050  
 Name ORZOFF LAW OFFICES  
 Attorney for Plaintiff  
 Address 900 Skokie Blvd., Suite 250  
 City Northbrook, IL 60062  
 Telephone 847/564-0285

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

\*Law Division Room 801  
 Chancery-Divorce Division Room 802  
 County Division Room 801  
 Probate Division Room 1202



DIE DATE  
07/08/2018

DOC.TYPE: LAW  
CASE NUMBER: 18L006185  
DEFENDANT  
HOLE FOODS MARKET GROUP INC  
208 S LASALLE ST  
CHICAGO, IL 60604  
814

SERVICE INF  
RM 801 C/O

ATTACHED

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served by Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served by Mail  
2421 - Served by Publication  
ALIAS - SUMMONS

(2-81) CCG-1

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

(Name all parties)

ALLA TRESHUK,

Plaintiff,

v.

WHOLE FOODS MARKET GROUP, INC.

Defendant.

C O P Y

2018L006185

CALENDAR/ROOM F

TIME 00:00

Premises Liability

No. \_\_\_\_\_

Please Serve:

Whole Foods Market Group, Inc.  
c/o CT Corporation System  
(Registered Agent)  
208 S. LaSalle St. #814  
Chicago, IL 60604

SUMMONS

To each Defendant:

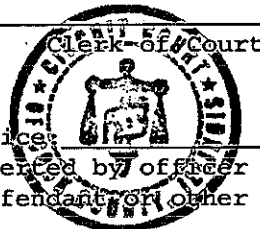
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WITNESS, **DOROTHY BROWN**  
CLERK OF CIRCUIT COURT

JUN 15 2019



Date of service: \_\_\_\_\_, 20\_\_\_\_  
(To be inserted by officer on copy left with  
defendant or other person)

Atty No.71050  
Name ORZOFF LAW OFFICES  
Attorney for Plaintiff  
Address 900 Skokie Blvd., Suite 250  
City Northbrook, IL 60062  
Telephone 847/564-0285

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

\*Law Division Room 801  
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County Division Room 801  
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DIE DATE  
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DOC. TYPE: LAW  
CASE NUMBER: 18L006185  
DEFENDANT  
HOLE FOODS MARKET GROUP INC  
208 S LASALLE ST  
CHICAGO, IL 60604  
814

SERVICE INF  
RM 801 C/O

ATTACHED



2. That on or about June 17, 2016, the Defendant, WHOLE FOODS, invited the general public, including the Plaintiff, to enter said premises for the purpose of purchasing merchandise then and there offered and sold by the Defendant; and on said day, at approximately 3:30 P.M., at the invitation and suggestion of the Defendant, WHOLE FOODS, the Plaintiff entered said premises for said purpose.

3. That it then and there became and was the duty of the Defendant, WHOLE FOODS, to exercise ordinary care and caution in and about the management of said premises, and to keep the same in a reasonably safe condition for the Plaintiff and the other persons in said grocery store for the purpose of purchasing merchandise and not to create or allow any dangerous conditions to exist on said premises.

4. That at the time of the occurrence hereinafter complained of and prior thereto, the Plaintiff was in the exercise of due care and caution for her own safety.

5. That, disregarding its aforesaid duty, the Defendant, WHOLE FOODS, by its agents and employees committed the following acts or omissions:

- a. Carelessly and negligently allowed soap, water and/or an unknown liquid substance to be lying on the ground in a women's public lavatory on the premises;
- b. Carelessly and negligently failed to timely remove said liquid when they knew or should have known of the danger to the invitee, such as the Plaintiff;
- c. Carelessly and negligently exacerbated the danger posed by the aforesaid dangerous condition;
- d. Carelessly and negligently created the aforesaid dangerous condition;
- e. Carelessly and negligently failed to warn persons lawfully using the store of the aforesaid dangerous condition;

- f. Carelessly and negligently failed to have an attendant located in the women's public lavatory;
- g. Carelessly and negligently used materials in the floor that became slippery and dangerous when wet;
- h. Carelessly and negligently failed to lay down a rug, mat, carpet or other non-slip material in the women's public lavatory.
- i. Carelessly and negligently failed to inspect said premises;
- j. Carelessly and negligently inspected said premises;
- k. Carelessly and negligently failed to keep the premises in a safe condition for the invitees thereon;
- l. Otherwise carelessly and negligently maintained the aforesaid property.

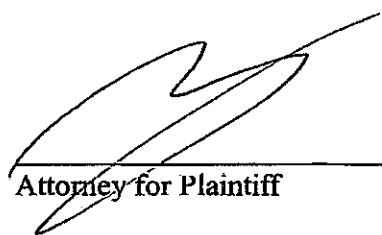
6. That, as a direct and proximate result of the negligent failure to remove the dangerous condition by the Defendant, its agents, servants and employees, the Plaintiff slipped and fell with great force and violence on the floor of a women's public lavatory, thereby incurring severe and permanent injuries.

7. That as a further result of the foregoing, Plaintiff fell against the hard floor, sustaining thereby serious and permanent injuries; she became sick, sore, lame and disabled; she suffered great physical pain and mental anguish; she incurred and became liable for large sums of money for medical care and attention in and about endeavoring to be cured of her aforesaid injuries; she was prevented from and hindered in attending to the usual affairs, duties and occupation which she pursued heretofore; she lost great gains and profits which she would have otherwise made and enjoyed; and she reasonably believes that in the future, she will suffer further pain and anguish, will incur further expenses for medical care and attention, and will



further be hindered in attending to her usual affairs, duties and occupation; all due to these aforesaid injuries so wrongfully sustained.

WHEREFORE, the Plaintiff, ALLA TRESHUK, asks judgment against the Defendant, WHOLE FOODS, in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus the costs and disbursements of this action.



Attorney for Plaintiff

ORZOFF LAW OFFICES #71050  
900 Skokie Blvd.  
Suite 250  
Northbrook, IL 60062  
847/564-0285

STATE OF ILLINOIS )

Atty. No. 71050

) SS:

COUNTY OF COOK )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

ALLA TRESHUK,

Plaintiff,

vs.

No.

WHOLE FOODS MARKET GROUP, INC.,  
a Delaware corporation.

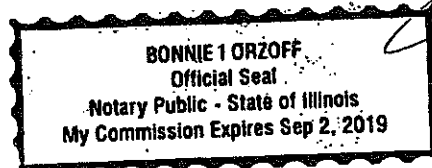
Defendant.

**AFFIDAVIT IN COMPLIANCE WITH SUPREME COURT RULE 222**

Scott J. Orzoff, being first duly sworn on oath, deposes and states that he is one of the attorneys for the Plaintiff and that the Plaintiff's damages in the above captioned matter are in excess of \$50,000.00.

SUBSCRIBED and SWORN to  
before me this 14th day  
of June 20 18.

*Bonnie Orzoff*  
Notary Public



*Scott J. Orzoff*  
\_\_\_\_\_  
Scott J. Orzoff

ORZOFF LAW OFFICES #71050  
Attorneys for Plaintiff  
900 Skokie Blvd., Suite 250  
Northbrook, IL 60062  
847/564-0285

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ILLINOIS**

ALLA TRESHUK

Plaintiff,

v.

WHOLE FOODS MARKET GROUP, INC.

Defendant.

No. 2018 L 006185

**AFFIDAVIT OF JAY WARREN**

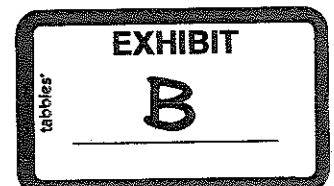
The affiant, Jay Warren, states that the following is true and correct:

1. I am the Senior Global Litigation Counsel for Whole Foods Market Services, Inc., and I am involved in legal matters for Whole Foods Market, Inc. and its subsidiary corporations. In my capacity as Senior Global Litigation Counsel, I also have personal knowledge concerning the various legal entities that own and operate Whole Foods Market stores throughout the United States, including the legal status, form of organization, and operations of each of these legal entities.

2. The following statements are based upon my personal knowledge, and if called to do so, I could and would competently testify to the stated facts.

3. Whole Foods Market Group, Inc. is, and at all times relevant to this litigation was, a corporation solely owned by Whole Foods Market, Inc.

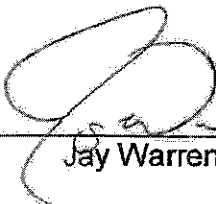
4. Whole Foods Market Group, Inc. is, and at all times relevant to this litigation was, a corporation organized and existing under the laws of the State of Delaware, with its principal place of business and headquarters at 550 Bowie Street, Austin, Texas.



5. Whole Foods Market Group, Inc. is the entity that operates all Whole Foods Market stores in the State of Illinois, and none of the stores are operated by any other entity.

6. Whole Foods Market is a trade name that is used for many of the grocery stores operating under the entity Whole Foods Market Group, Inc., including the stores located in Illinois.

13. Pursuant to 28 U.S.C. Sec. 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Jay Warren

Executed on: July 23, 2018

**Joseph Ryan**

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**From:** Joseph Ryan  
**Sent:** Tuesday, July 24, 2018 10:19 AM  
**To:** 'stewart@orzofflawoffices.com'  
**Subject:** Alla Treshuk v. Whole Foods

Our office has been retained by Whole Foods Market Group, Inc. in the above referenced matter. In reviewing information regarding this matter, we have learned that the plaintiff resides in and is a citizen of Illinois. She also injured her left elbow in the alleged fall at the store, resulting in a displaced fracture. The plaintiff's injury required two surgical procedures and plaintiff has incurred around \$90,000 in medical expenses. If any of this information is incorrect, please advise our office by 2:00 p.m. today as we will be removing the case to federal court. Thank you.

Please do not hesitate to contact this office should you have any questions or comments.

Joseph D. Ryan  
Law Offices of Joseph D. Ryan, P.C.  
1896 Sheridan Road  
Highland Park, IL 60035  
Tel: (847) 432-5971  
Fax: (847) 432-5975  
Email: [jryan@ryanlawoffices.com](mailto:jryan@ryanlawoffices.com)

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